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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,970	11/20/2001	Andreas Prokoph	DE920000094US1/2265P	1657

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EXAMINER	
THAI, HANH B	
ART UNIT	**PAPER NUMBER**
2161	

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/989,970	PROKOPH, ANDREAS	
	Examiner	Art Unit	
	Hanh B Thai	2161	

-- The MAILING DATE of this c mmunication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *Amendment filed July 26, 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

This is in response to the amendment filed July 26, 2004.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed July 26, 2004 have been fully considered but they are not persuasive.

Applicant argues on pages 10-12 that " neither Meyerzon nor Nelson, singularly or in combination, teach or suggest extracting a portion of the document that characterizes the document's subject content to form the document extract." Examiner respectfully disagrees. Nelson discloses a processing system that separates or decomposes the "multimedia document" (110, Fig.2, Nelson) into "list of multimedia components" of different data types (120, Fig.2; Fig.4 and col.5, lines 52-55), convert a single block of component data into a list of tokens, these tokens will stored in the multimedia index then presented to the user as "search result" including "document title", "document summary" and other useful form (col.5, line 52-col.6, line 65; col.7, lines 46-67 and col.9, lines 60-65, Nelson). The "extracting a portion of the document that characterizes the document's subject content to form the document extract" must be performed in steps 110 and 120, Fig.2 of Nelson.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-6, 8-14, 16-20 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meyerzon et al. (US Patent no. 6,631,369) in view of Nelson et al. (US Patent no. 6,243,713).

Regarding claims 1 and 9, Meyerzon discloses a method for retrieving information using a search engine comprising the steps of:

(a) retrieving a document to be indexed (see col.4, lines 43-54, Meyerzon);

(b) generating a document extract corresponding to the document (see col. 4, lines 53-67, Meyerzon); and

(d) storing the plurality of tokens in a search index, wherein the search engine accesses the search index to retrieve information in one or more document extracts satisfying a search query (see col. 7, lines 44-65 and col.8, lines 1-10, Meyerzon. The data type of information corresponding to the "token").

Meyerzon, however, does not explicitly disclose extracting a portion of the document that characterizes the document's subject content to form the document extract and decomposing the document extract into a plurality of tokens. Nelson, on the other hand, discloses the retrieval system for retrieval of multimedia information including the extracting a portion of the document and decomposing the document into a plurality of tokens (see abstract of Nelson; col.5, line 52-col.6, line 65; col.7, lines 46-67 and col.9, lines 60-65). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Meyerzon to include the claimed feature as taught by Nelson. The motivation of doing so would have been to improve the efficiency of incremental crawls that are used to manage document stores (see col. 3, lines 65-67, Meyerzon).

Regarding claim 17, Meyerzon discloses a system for retrieving information, wherein the system includes a search engine comprising:

- means for retrieving a document from a document repository (see col.4, lines 43-54 and element 200, Fig.2 and corresponding text, Meyerzon);
- an information extractor coupled to the means for retrieving, wherein the information extractor generates a document extract corresponding to the document (see col. 4, lines 53-67, Meyerzon). Each document is retrieved form the web site process and the data is extracted from each of these retrieved documents. Therefore, there must be an extractor for the extracting process;
- a storage device (100, Fig.2 and corresponding text, Meyerzon) coupled to the information extractor for storing the document extract;
- a search engine indexer (300, Fig.2) coupled to the storage device; and
- a search index (400, Fig.2) coupled to the search engine indexer for storing the plurality of tokens, wherein the search engine accesses the search index to retrieve information in one or more document extracts satisfying a search query (see col. 7, lines 44-65 and col.8, lines 1-10; Fig.2 and corresponding text, Meyerzon).

Meyerzon, however, does not explicitly disclose the steps of extracting a portion of the document that characterizes the document's subject content to form the document extract and decomposing the document extract into a plurality of tokens. Nelson, on the other hand, discloses the retrieval system for retrieval of multimedia information including the decomposing the document into a plurality of tokens (see abstract of Nelson; col.5, line 52-col.6, line 65; col.7, lines 46-67 and col.9, lines 60-65). It would have been obvious to one of ordinary skill in the art

at the time of the invention to modify Meyerzon to include the claimed feature as taught by Nelson. The motivation of doing so would have been to improve the efficiency of incremental crawls that are used to manage document stores (see col. 3, lines 65-67, Meyerzon).

Regarding claims 2, 10 and 18, Meyerzon/Nelson combination further discloses the steps of (b1) extracting a portion of the document that characterizes the document's subject content to form the document extract; and (b2) recording positional information of the portion extracted within the document (see col. 6, lines 1-10, Nelson).

Regarding claims 3 and 11, Meyerzon/Nelson combination further discloses the step of storing the document extract in a storage device (see Fig.2 and corresponding text, Meyerzon).

Regarding claims 4, 12 and 19, Meyerzon/Nelson combination further discloses the step of storing the recorded positional information with the plurality of tokens (see col.6, lines 1-34, Nelson).

Regarding claims 5 and 13, Meyerzon/Nelson combination further discloses the step Meyerzon/Nelson combination further discloses extracting from the document a collection of sentences that are characteristic of the document's subject content to form a document summary (see abstract, col.5, line 52-col.6, line 65; col.7, lines 46-67 and col.9, lines 60-65, Nelson).

Regarding claims 6, 14 and 20, Meyerzon/Nelson combination discloses the step of selecting from the document extract one of a whole sentence, a portion of a sentence, a word, and a feature. (see col.6, lines 16-34; col.7, lines 46-67 and col.9, lines 60-65, Nelson).

Regarding claims 8, 16 and 22, Meyerzon/Nelson combination further discloses that the document is a web-page in the Internet (see Fig.2, Meyerzon).

Regarding claim 23, Meyerzon/Nelson combination further discloses the means for retrieving the document is a web crawler (see abstract of Meyerzon).

2. Claims 7, 15 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meyerzon et al. (US Patent no. 6,631,369) in view of Nelson et al. (US Patent no. 6,243,713), and further in view of Smadja (US 6,621,930).

Regarding claims 7, 15 and 21, Meyerzon/Nelson combination discloses all of the claimed limitation as discussed above except the step of selecting tokens based on frequency of occurrence, word-salient-measure, proximity to the beginning of a paragraph, proximity the beginning of the document, and proximity to or position within a heading or a caption. Smadja, on the other hand, discloses an electronic device automatically classifies documents based upon textual content including the frequency of occurrence of the token in the selected document (col.3, lines 8-34; col.4, lines 46-51 and 57-65; col. 13, lines 16-19 and col.14, lines 5-9, Smadja). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combination system of Meyerzon and Nelson to include the claimed feature as taught by Smadja. The motivation of doing so would have been to provide more accurate search result based on the index.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Messerly et al. (US 6,076,051) disclose an information retrieval utilizing semantic representation of text.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh B Thai whose telephone number is 571-272-4029. The examiner can normally be reached on 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hanh B Thai
Examiner
Art Unit 2161

January 4, 2005

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SUPERVISORY PATENT EXAMINER
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